

REMARKS/ARGUMENTS

The Office Action mailed August 4, 2003 and the Advisory Action mailed November 3, 2003 have been reviewed and carefully considered. Claims 1 and 5 have been amended. Claims 1-10 are pending in this application, with claims 1 and 5 being the only independent claims. Reconsideration of the above-identified application, as herein amended and in view of the following remarks, is respectfully requested.

In the Office Action mailed August 4, 2003, claims 1-8 stand rejected under 35 U.S.C. §103 as unpatentable over EP 0 597 638 (Beddoes).

Claims 3-4, 7-8, and 9-10 stand rejected under 35 U.S.C. §103 as unpatentable over Beddoes and further in view of U.S. Patent No. 5,295,180 (Vendetti).

Before discussing the cited prior art and the Examiner's rejections of the claims in view of that art, a brief summary of the present invention is appropriate. The present invention relates to a method and system for changing a subscriber profile based on the identity of a base station serving the subscriber terminal. As is known in the prior art, base stations transmit information signals such as, for example, CGI (cell global identity) information in the BCCH (Broadcast Control Channel) in a mobile communication network which includes a cell identifier of the cell (see page 2, line 21 - page 3, line 3). As is also known in the art, the cell identifier (CI) is a 16-bit identifier used in conjunction with a location area identifier to uniquely identify a base station. However, network reconfigurations commonly require changes in cell identifiers (see page 3, lines 2-3). If the cell identifier of the home cell of a mobile terminal changes due to a network reconfiguration, the mobile network will not recognize the new cell identifier. The present invention overcomes this problem by assigning a permanent base station identity designation to the base station that is in addition to a cell identifier and that does not change in conjunction with

network reconfigurations (page 5, lines 6-7 and page 8, lines 7-9). More specifically, a cell broadcast server 4 includes or implements supervision software 41 which creates and assigns an extra or additional identity of a permanent nature for each of the base stations (page 8, lines 7-9). The supervision software 41 and base station controller 3 assure that the permanent base station identity designation is included in the information signal that is transmitted by the base station to all mobile equipment in its communication coverage area (page 8, lines 11-14). This allows a mobile terminal to identify or recognize a particular base station in whose area the mobile terminal is currently located on the basis of the permanent base station identity designation.

Independent claims 1 and 5, as amended, each recite assigning a permanent base station identity designation to the base station for uniquely identifying the base station independent of mobile communication network configuration changes, wherein the permanent base station identity designation is separate from a cell identity of a global cell identifier of the base station, and including in the information signal transmitted by the base station the permanent base station identity designation. Furthermore, independent claims 1 and 5 also recite that the permanent base station identity designation is created and assigned to the base station by the cell broadcast server including the supervision software. These added limitations are supported in the specification at page 8, lines 7-17.

Beddoes discloses a cellular communication system in which each base station emits an identifying signal on a control channel (see col. 1, lines 47-48). The cell identifying signal causes a corresponding identification signal to be provided by the mobile terminal to the user (col. 2, lines 42-46). Beddoes further states that the actual identification provided to the user by the mobile terminal could identify the area by name or code (i.e., telephone area code or zip code).

The final Office Action states that since area names and area codes are permanent, Vendetti teaches that the cell identifying signal is a permanent designation. However, it is respectfully noted that Beddoes distinguishes between (1) the identifying signal transmitted by the base station to the mobile terminal and (2) the corresponding identification of the location provided to the user by the mobile terminal (col. 2, lines 42-46). That is, Beddoes discloses only that the identification provided by the mobile terminal to the user could be an area name or code. However, this does not in any way disclose, teach or suggest that the identifying signal transmitted by the base station to the mobile terminal is a permanent base station identity designation that is independent of mobile communication network configuration changes and separate from a cell identity of a global cell identifier of the base station, as is recited in independent claims 1 and 5. Furthermore, Beddoes is silent as to how the identifying signal emitted by the base station is created and therefore also fails to disclose, teach or suggest a server including supervision software which creates a permanent base station identity designation for the base station, as is also expressly recited in independent claims 1 and 5.

Vendetti fails to teach or suggest what Beddoes lacks. Vendetti discloses a cellular telephone communication system in which zones Z_1, Z_2, Z_3, \dots are defined within a cellular system 50. The zones may comprise subsections of a single cell 52 of the cellular system as shown in Fig. 2 (see col. 4, lines 35-37 of Vendetti). In any event, the zones are separate areas from the cells in Vendetti (see Fig. 2). To determine whether a user is within a zone, each zone has a marker transmitter M_1, M_2, \dots which transmits a marker signal identifying the zone (col. 5, lines 14-23). The marker transmitters are separate from the cell transceivers 54 in each cell 52. More specifically, Vendetti discloses that the zone identification is indicated by marker transmitters M_1, M_2, \dots and that the cell identification is indicated by cell transceivers 54 (i.e., base stations).

Regarding the cell site transceivers 54 (base stations), Vendetti discloses only that they are connected to a mobile telephone switching office (col. 4, lines 17-29). There is no further description regarding how the identifying signals from the base stations are created. The creation and assignment of identifying signals are assumed to be in accordance with the prior art disclosed in the present invention. Accordingly, the disclosure of Vendetti regarding the cell transceivers 54 fails to disclose, teach or suggest assigning a permanent base station identity designation to the base station for uniquely identifying the base station independent of mobile communication network configuration changes, wherein the permanent base station identity designation is separate from a cell identity of a global cell identifier of the base station, and including in the information signal transmitted by the base station the permanent base station identity designation, as is recited in independent claims 1 and 5.

In the Advisory Action of November 3, 2003, the Examiner states that Vendetti discloses a permanent identification because it discloses that the zone identification is permanent and is independent of the base station identification. However, independent claims 1 and 5 recite that the permanent base station identity designation identifies the location of a base station. In contrast, the marker transmitters of Vendetti transmit marker signals that are preassigned digital codes that correspond to a unique zone in the cellular service area (col. 9, lines 60-63). As disclosed by Vendetti at col. 4, lines 35-37, these zones are separate from the cells. Moreover, even if the marker signals emitted by the marker transmitters are considered to be permanent, the marker transmitters are separate and distinct from the cell transceiver 54 (base station). Since Vendetti fails to disclose that the cell transceiver 54 is assigned a permanent identity designation, Vendetti fails to teach or suggest that the identifying signal transmitted by the base station to the mobile terminal is

independent of mobile communication network configuration changes and separate from a cell identity of a global cell identifier of the base station, as is recited in independent claims 1 and 5.

Furthermore, Vendetti is silent as to as to how an identifying signal emitted by the base station is created and therefore also fails to disclose, teach or suggest a server including supervision software which creates a permanent base station identity designation for the base station, as is also expressly recited in independent claims 1 and 5.

In view of the foregoing, independent claims 1 and 5 are respectfully deemed allowable over Beddoes in view of Vendetti.

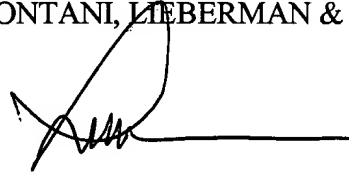
Dependent claims 2-4 and 6-10, each being dependent on one of independent claims 1 and 5, are deemed allowable for at least the same reasons as are independent claims 1 and 5.

The application is now believed to be in condition for allowance, and early notice to that effect is solicited.

Respectfully submitted,

COHEN, PONTANI, LIEBERMAN & PAVANE

By

A handwritten signature in black ink, appearing to read 'LJ Lieberman', is written over a horizontal line.

Lance J. Lieberman
Reg. No. 28,437
551 Fifth Avenue, Suite 1210
New York, New York 10176
(212) 687-2770

Dated: February 4, 2004